

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHRISTIANA FATIREGUN,**  
**Plaintiff,**

**v.**

**CITY OF PHILADELPHIA,**  
**Defendant.**

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**CIVIL ACTION NO. 09-601**

**ORDER**

**AND NOW**, this \_\_\_\_ day of October, 2009, upon consideration of Defendant's Motion for Reconsideration of the Court's Order Denying, in Part, Defendant's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) or in the Alternative to Certify an Interlocutory Appeal (Doc. 7) ("Defendant's Motion for Reconsideration"); Plaintiff's Motion for an Enlargement of Time to Answer Defendant's Motion for Reconsideration of the Court's Order Denying, in Part, Defendant's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) or in the Alternative to Certify an Interlocutory Appeal (Doc. 8) ("Plaintiff's Motion for an Enlargement of Time"); and Plaintiff's Answer to Defendant's Motion for Reconsideration of the Court's Order Denying, in Part, Defendant's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) or in the Alternative to Certify an Interlocutory Appeal (Doc. 9) ("Plaintiff's Response"), **IT IS HEREBY ORDERED AND DECREED** that Plaintiff's Motion for an Enlargement of Time is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendant's Motion for Reconsideration is **GRANTED IN PART and DENIED IN PART** as follows:

- 1) Plaintiff's Philadelphia Code § 9-1104 claim is **DISMISSED** with prejudice;
- 2) Plaintiff's § 1983 claim for conduct in violation of § 1981 is **DISMISSED** with

prejudice; and,

3) Plaintiff's § 1981a claim is **DISMISSED** with prejudice.<sup>1</sup>

**IT IS FURTHER ORDERED** that Plaintiff is granted leave to amend her Complaint to clarify the events alleged in paragraph 9(f) that gave rise to her Title VII retaliation claim.

Plaintiff must file her amended complaint **within 20 days** of this Order.

All other provisions of the Court's May 30, 2009 Order shall remain in effect.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> Plaintiff's Title VII discrimination and retaliation claims remain.